

## **MINUTES**

### **MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS**

**Call to Order:** Chair Edward Buttrey, on March 28, 2017 at 8:00 AM, in Room 422  
Capitol

#### **ROLL CALL**

**Members Present:**

Sen. Edward Buttrey, Chair (R)  
Sen. Dee Brown, Vice Chair (R)  
Sen. Pat Connell (R)  
Sen. Tom Facey (D)  
Sen. Steve Fitzpatrick (R)  
Sen. Daniel R. Salomon (R)  
Sen. Jason D. Small (R)  
Sen. Frank Smith (D)  
Sen. Gordon Vance (R)  
Sen. Gene Vuckovich (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Linda Keim, Committee Secretary  
Jameson Walker, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 564, 3/20/2017, SB 365, 3/22/2017, SB 377, 3/27/2017

Executive Action: Do Pass As Amended: SB 353, SB 355, SB 362, SB 377,  
SB 170, SB 365  
Be Concurred In: HB 564

**HEARING ON SB 365**

**Opening Statement by Sponsor:**

00:01:03 Sen. Tom Facey (D), SD 50, opened the hearing on SB 365. Generally revise laws regarding business and occupational licensing.

**Proponents' Testimony:** None

**Opponents' Testimony:**

00:04:04 Sen. Carlie Boland, SD 12, public member, Board of Realty Regulation

00:09:31 Dan Vuckovich, chair, Board of Public Accountants

**[EXHIBIT\(bus64a01\)](#)**

Note: Questions were allowed from Committee Members to Sen. Boland.

00:14:58 Sen. Brown

00:15:15 Sen. Boland

00:16:13 Rick DeMarinis, mechanical engineer, CTA Architects Engineers

00:19:37 Rick Reisig, CPA, Great Falls; member, National Association of State Boards of Accountancy, Montana Society of Certified Public Accountants

00:25:07 Bob Morrison, past president, Morrison Maierle, American Council of Engineering Companies (ACEC)

**[EXHIBIT\(bus64a02\)](#)**

00:29:47 Byron Stahly, presiding officer, Montana Board of Professional Engineers and Professional Land Surveyors

**[EXHIBIT\(bus64a03\)](#)**

00:35:51 Jay Skoog, executive director, American Council of Engineering Companies of Montana; also speaking for Jennifer James, American Society of Civil Engineers, Montana Society of Civil Engineers

**[EXHIBIT\(bus64a04\)](#)**

00:36:51 Shelly Engler, Montana Board of Architects and Landscape Architects

**[EXHIBIT\(bus64a05\)](#)**

00:41:01 Kate Dinsmore, Missoula, American Society of Architects and Landscape Architects

**[EXHIBIT\(bus64a06\)](#)**

00:43:07 Jolene Rieck, owner, Peaks to Plains Design, Billings; Idaho-Montana Chapter of American Society of Landscape Architects

**[EXHIBIT\(bus64a07\)](#)**

00:46:21 Mike Lapp, Meridian Land Surveying, Montana Association of Registered Land Surveyors; National Society of Professional Land Surveyors

**[EXHIBIT\(bus64a08\)](#)**

00:51:31 Dan Stahly, board member, Montana Association of Registered Land Surveyors  
00:53:31 Holly Franz, Montana Society of Certified Public Accountants  
00:55:32 Todd Younkin presented written testimony from Richard Smith, Board of Realty Regulation

**EXHIBIT(bus64a09)**

**Informational Testimony:**

00:56:00 Todd Younkin, Department of Labor and Industry (DLI)  
00:56:50 Mark Simonich, Montana Association of Realtors (MAR)

**Questions from Committee Members and Responses:**

00:57:10 Sen. Connell  
01:03:12 Mr. Simonich, MAR  
01:03:34 Sen. Brown  
01:07:31 Mr. Simonich  
01:07:37 Sen. Vuckovich  
01:09:59 Sen. Facey  
01:10:47 Chair Buttrey  
01:10:52 Sen. Brown  
01:11:41 Mr. Younkin, DLI  
01:11:58 Sen. Smith  
01:12:44 Mr. Simonich  
01:13:12 Chair Buttrey  
01:13:34 Sen. Facey

**Closing by Sponsor:**

01:14:06 Sen. Facey  
01:15:23 Chair Buttrey  
01:15:33 Recess  
01:21:12 Reconvened  
01:21:15 Chair Buttrey

**HEARING ON HB 564**

**Opening Statement by Sponsor:**

01:21:25 Rep. Jimmy Patelis (R), HD 52, opened the hearing on HB 564. Revise 'sports pools' to allow range of buy-in amounts.

**Proponents' Testimony:**

01:23:24 Ronda Wiggers, Montana Coin Machine Operators Association (MCMOA)

**Opponents' Testimony:**

01:24:51 Angela Nunn, division administrator, Gambling Control Division, Department of Justice

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:26:55 Sen. Brown  
01:27:18 Rep. Patelis  
01:28:24 Sen. Small  
01:29:16 Ms. Wiggers, MCMOA  
01:29:35 Sen. Salomon  
01:29:58 Ms. Wiggers

**Closing by Sponsor:**

01:30:20 Rep. Patelis  
01:31:56 Chair Buttrey

**HEARING ON SB 377**

**Opening Statement by Sponsor:**

01:32:15 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 377. Revise laws related to bringing Montana into compliance with federal real ID act.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:**

01:34:34 Sarah Garcia, administrator, Motor Vehicle Division, Department of Justice (DOJ)  
01:34:54 Robert Sparing, Brigadier General, Montana Air National Guard (MTNG)

**Questions from Committee Members and Responses:**

01:35:34 Sen. Facey  
01:36:18 Mr. Sparing, MTNG  
01:36:32 Sen. Salomon  
01:37:32 Sen. Fitzpatrick  
01:38:06 Sen. Salomon  
01:40:31 Ms. Garcia, DOJ  
01:40:55 Sen. Brown  
01:41:20 Ms. Garcia  
01:42:08 Chair Buttrey

01:42:12 Ms. Garcia  
 01:42:43 Sen. Connell  
 01:42:56 Ms. Garcia  
 01:44:09 Sen. Facey  
 01:44:57 Ms. Garcia  
 01:45:07 Sen. Brown  
 01:45:28 Ms. Garcia  
 01:47:15 Sen. Vuckovich  
 01:47:23 Ms. Garcia redirect  
 01:47:37 Michele Snowberger, Department of Justice (DOJ)  
 01:49:18 Sen. Vuckovich  
 01:49:24 Ms. Snowberger, DOJ  
 01:49:55 Chair Buttrey  
 01:50:03 Sen. Vuckovich

**Closing by Sponsor:**

01:50:30 Sen. Fitzpatrick  
 01:51:20 Chair Buttrey  
 01:52:08 Recess  
 03:02:13 Reconvened

**EXECUTIVE ACTION ON SB 353**

03:02:42 **Motion:** Sen. D. Brown moved that **SB 353 DO PASS.**  
 03:03:36 **Motion:** Sen. D. Brown moved that **SB 353 BE AMENDED.**  
[EXHIBIT\(bus64a10\)](#)

**Discussion:**

03:03:47 Chair Buttrey  
 03:05:08 **Vote:** Motion carried unanimously by voice vote.  
 03:05:20 **Motion:** Sen. D. Brown moved that **SB 353 DO PASS AS AMENDED.**

**Discussion:**

03:05:48 Sen. Facey  
 03:07:16 Chair Buttrey  
 03:07:58 Sen. Salomon  
 03:08:03 Chair Buttrey  
 03:08:12 Sen. Connell  
 03:08:42 **Vote:** Motion carried 9-1 by voice vote with Sen. Brown voting no.

**EXECUTIVE ACTION ON SB 355**

03:08:57 **Motion:** Sen. D. Brown moved that **SB 355 DO PASS.**

03:09:12 **Motion/Vote:** Sen. D. Brown moved that **SB 355 BE AMENDED.** Motion carried unanimously by voice vote.

**EXHIBIT**(bus64a11)

03:10:23 **Motion:** Sen. D. Brown moved that **SB 355 DO PASS AS AMENDED.**

**Discussion:**

03:10:40 Sen. Brown

03:11:04 Sen. Smith

03:11:36 Sen. Brown

03:12:08 Sen. Smith

03:13:02 Sen. Facey

03:13:05 **Vote:** Motion carried 7-3 by roll call vote with Sen. Salomon, Sen. F. Smith and Sen. Vuckovich voting no.

**EXECUTIVE ACTION ON SB 362**

03:13:54 **Motion:** Sen. D. Brown moved that **SB 362 DO PASS.**

03:14:20 **Motion:** Sen. D. Brown moved that **SB 362 BE AMENDED.**

**EXHIBIT**(bus64a12)

**Discussion:**

03:14:57 Chair Buttrey

03:20:28 Jameson Walker, Legislative Services Division (LSD)

03:20:36 Sen. Brown

03:20:40 Mr. Walker, LSD

03:20:56 Sen. Brown

03:20:59 Chair Buttrey

03:21:02 Sen. Connell

03:21:37 **Vote:** Motion carried unanimously by voice vote.

03:21:47 **Motion:** Sen. D. Brown moved that **SB 362 DO PASS AS AMENDED.**

**Discussion:**

03:22:06 Chair Buttrey

03:22:22 **Motion:** Sen. Facey moved that **SB 362 BE CONCEPTUALLY AMENDED.**

**Discussion:**

03:22:59 Chair Buttrey  
03:23:15 Sen Brown  
03:23:37 Sen. Facey  
03:24:52 Chair Buttrey  
03:26:30 Sen. Facey

03:26:53 **Vote:** Motion failed 1-9 by roll call vote with Sen. Facey voting aye.

03:27:46 **Motion/Vote:** Sen. D. Brown moved that **SB 362 DO PASS AS AMENDED**.  
Motion carried 9-1 by voice vote with Sen. Facey voting no.

**EXECUTIVE ACTION ON SB 377**

03:28:17 **Motion:** Sen. D. Brown moved that **SB 377 DO PASS**.

03:28:30 **Motion:** Sen. D. Brown moved that **SB 377 BE AMENDED**.  
[EXHIBIT\(bus64a13\)](#)

**Discussion:**

03:28:43 Sen. Fitzpatrick  
03:28:55 Chair Buttrey  
03:29:14 Jameson Walker, Legislative Services Division (LSD)

03:29:39 **Vote:** Motion carried unanimously by voice vote.

03:29:46 **Motion:** Sen. D. Brown moved that **SB 377 DO PASS AS AMENDED**.

**Discussion:**

03:29:55 Sen. Connell  
03:30:02 Chair Buttrey

03:30:24 **Vote:** Motion carried 9-1 by voice vote with Sen. Vance voting no.

**EXECUTIVE ACTION ON SB 170**

03:31:02 **Motion:** Sen. D. Brown moved that **SB 170 DO PASS AS AMENDED**. (SB 170 was previously amended on 2/17/2017 in Judiciary.)

**Discussion:**

03:31:25 Chair Buttrey

03:32:15 **Vote:** Motion carried 7-3 by voice vote with Sen. Facey, Sen. F. Smith and Sen. Vuckovich voting no.

**EXECUTIVE ACTION ON HB 564**

03:33:00 **Motion:** Sen. Small moved that **HB 564 BE CONCURRED IN.**

**Discussion:**

03:33:21 Jameson Walker, Legislative Services Division (LSD)  
03:33:23 Sen. Facey  
03:33:57 Chair Buttrey  
03:34:45 Sen. Brown  
03:35:13 Sen. Connell  
03:35:50 Chair Buttrey  
03:37:23 Sen. Smith

03:37:41 **Vote:** Motion carried 7-3 by voice vote with Sen. Brown, Sen. Facey and Sen. Salomon voting no. Sen. Blasdel will carry the bill.

**Committee Business:**

03:38:29 Chair Buttrey  
03:38:33 Jameson Walker, Legislative Business Services (LSD)  
03:39:32 Chair Buttrey  
03:39:41 Sen. Facey  
03:40:06 Chair Buttrey  
03:40:26 Sen. Connell  
03:40:38 Chair Buttrey  
03:40:43 Sen. Salomon  
03:40:54 Sen. Brown  
03:41:24 Sen. Facey

**EXECUTIVE ACTION ON SB 365**

03:42:08 **Motion:** Sen. D. Brown moved that **SB 365 DO PASS.**

03:42:18 **Motion:** Sen. D. Brown moved that **SB 365 BE CONCEPTUALLY AMENDED.**

**Note:** Completed Conceptual Amendment is available under "Additional Documents".

**Discussion:**

03:42:41 Sen. Brown

03:42:44 **Vote:** Motion carried 6-4 by voice vote with Sen. Fitzpatrick, Sen. F. Smith, Sen. Vance and Sen. Vuckovich voting no.

03:43:01 **Motion:** Sen. D. Brown moved that **SB 365 DO PASS AS CONCEPTUALLY AMENDED.**



**Discussion:**

03:43:16 Sen. Facey  
03:43:41 Chair Buttrey

03:43:56 **Vote:** Motion carried 6-4 by roll call vote with Sen. Fitzpatrick, Sen. F. Smith, Sen. Vance and Sen. Vuckovich voting no.

**Note:** On 3/29/2017, SB 365 was awaiting a fiscal note before it could be officially read over the Rostrum. At committee request, SB 365 was Tabled to enable further discussion in committee at a later date.

**Committee Business:**

03:44:49 Chair Buttrey  
03:45:05 Sen. Vance  
03:45:14 Jameson Walker, Legislative Business Services (LSD)  
03:45:41 Sen. Vance  
03:45:50 Chair Buttrey  
03:45:53 Sen. Fitzpatrick  
03:45:59 Sen. Vance  
03:46:06 Sen. Fitzpatrick  
03:46:09 Mr. Walker, LSD  
03:46:18 Sen. Vance

**ADJOURNMENT**

Adjournment: 11:47 AM

---

Linda Keim, Secretary

**Additional Documents**

lk

Additional Documents:

**EXHIBIT([bus64aad.pdf](#))**